

1 John M. Pierce (Bar No. 250443)  
jpierce@johnpiercelaw.com  
2 **JOHN PIERCE LAW P.C.**  
21550 Oxnard Street, 3rd Floor  
3 Woodland Hills, CA 91367  
Tel. (321) 961-1848

4 Attorneys for Defendant  
5 ROWLAND MARCUS ANDRADE

6  
7 UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

8 UNITED STATES OF AMERICA,

9 Plaintiff-Appellee,

10 v.

11 ROWLAND MARCUS ANDRADE,

12 Defendant-Appellant.  
13

Case Nos. 25-5095; 25-6056; 25-6507  
D.C. No. 3:20-cr-00249-RS-1  
Northern District of California,  
San Francisco

**EMERGENCY MOTION FOR  
TEMPORARY RELIEF PENDING  
RULING ON APPELLANT'S  
MOTION FOR MISC. RELIEF  
(DKT. 33)**

---

14  
15 **EXHIBIT-D**

16 DECLARATION OF JOHN M. PIERCE

17 Attached to Ex. B of Motion for Administrative Relief to Extend Surrender Date.  
18 Filed in District Court Dkt. 808-2.  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff

v.

ROWLAND MARCUS ANDRADE,

Defendant

CASE No. 3:20-cr-00249-RS-1

**DECLARATION OF JOHN PEARCE  
IN SUPPORT OF MOTION OF  
ADMINISTRATIVE RELIEF TO  
EXTEND SURRENDER DATE AND  
NINTH CIRCUIT UPDATE**

Judge: Hon. Richard Seeborg

---

**EXHIBIT - B**

**DECLARATION OF JOHN M. PEARCE**

1 John M. Pierce (Bar No. 250443)  
jpierce@johnpiercelaw.com  
2 **JOHN PIERCE LAW P.C.**  
21550 Oxnard Street, 3rd Floor  
3 Woodland Hills, CA 91367  
Tel. (321) 961-1848

4 Attorneys for Defendant  
5 ROWLAND MARCUS ANDRADE

6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ROWLAND MARCUS ANDRADE,

15 Defendant.  
16  
17

Case No. 3:20-CR-00249-RS

**DECLARATION OF JOHN PIERCE IN  
SUPPORT OF ADMINISTRATIVE  
RELIEF TO EXTEND SELF-  
SURRENDER DATE**

Judge: Hon. Richard Seeborg

18 DECLARATION OF JOHN M. PIERCE IN SUPPORT OF ADMINISTRATIVE RELIEF TO  
19 EXTEND SELF-SURRENDER DATE MOTION  
20

21 This declaration incorporates by reference all the facts set forth in the previous declaration  
22 as set forth in docket number 788-1. I John M. Pierce declare as follows:

- 23 1. I am counsel of record for Defendant Rowland Marcus Andrade in the above-entitled  
24 action and submit this declaration based on personal knowledge obtained through my  
25 direct representation of Mr. Andrade, review of relevant case materials, and  
26 communications with him and his medical providers. If called as a witness, I could  
27

1 and would testify competently thereto.

- 2 2. Mr. Andrade's left ankle surgery is a Dwyer osteotomy with anterior capsulotomy and  
3 osteophyte excision to correct a high-arched (cavovarus) foot deformity and address  
4 associated structural problems.
- 5 3. With the help of his endocrinologist, Mr. Andrade was able to lower his A1C from 8.7  
6 to 6.9 and has now been given a surgery date of January 26, 2026.
- 7 4. I reviewed documentation confirming that his doctors believe he suffers from a  
8 chronic case of Angina Pectoris, and I was informed that he underwent a 2D  
9 echocardiogram. Mr. Andrade is currently awaiting the test results.
- 10 5. I have provided the government and the probation department with Mr. Andrade's  
11 medical records relating to the planned Dwyer osteotomy with anterior capsulotomy  
12 and osteophyte excision surgery appointment on January 26, 2026, as well as records  
13 addressing his other ankle conditions and report surrounding the Angina Pectoris issue  
14 which was determined from a Chart Review. The medical report included the results  
15 of a drug test where Andrade came back negative.
- 16 6. Mr. Andrade made multiple attempts to schedule his left-ankle surgery in November  
17 but was unable to do so because his A1C level was not yet low enough, as confirmed  
18 by the medical records provided to the government. The doctors allowed Mr. Andrade  
19 to take multiple A1C tests within a 45-day period in order to meet the medical criteria  
20 necessary to schedule his surgery. While A1C tests are typically performed every 90  
21 to 120 days, the doctors made an exception due to the urgency of his situation,  
22 ensuring that his blood sugar levels were sufficiently controlled so that he could  
23  
24  
25  
26

1 proceed with scheduling his surgery as soon as possible. December was also  
2 unavailable because the surgical schedule was already full; at the Veterans  
3 Administration (VA), orthopedic surgeons operate only on Wednesdays, as they spend  
4 the remainder of their time at other hospitals.

- 5
- 6 7. Newly retained counsel will require sufficient time to review the extensive record,  
7 assess prior work product, and work closely with Mr. Andrade to understand the  
8 factual, technical, constitutional, forfeiture, and financial issues in this case. Mr.  
9 Andrade's active participation is essential to interpreting trial evidence, coded witness  
10 communications, and voluminous financial and technical records, including the  
11 forfeiture and restitution materials contained in the docket.
- 12
- 13 8. By way of example, a government witness connected to Count One of the wire fraud  
14 charges gave inconsistent accounts of how he learned about BlockBits Capital—  
15 testifying at trial that the information came through his firm, Tenaya Capital, while  
16 previously telling the FBI that he learned of it during a chance meeting on an airplane.  
17 Similar complexities arise in the forfeiture proceedings, where understanding which  
18 entities operated as Abramoff proxy companies and how funds moved among related  
19 parties—including entities such as Watley Group, Landfair Capital, Sugar Mountain  
20 Holding, and Worldwide Financial—requires Mr. Andrade's firsthand knowledge.
- 21
- 22 9. Premature surrender would significantly impair counsel's ability to prepare appellate  
23 and forfeiture filings, create procedural inefficiencies, and prejudice Mr. Andrade's  
24 appellate rights. Without his direct involvement, newly retained counsel would be  
25 forced to reconstruct intricate relationships and financial transactions in a compressed  
26

1 timeframe, increasing the likelihood of delay, added expense, and ineffective  
2 representation.

3 10. Mr. Andrade is not a flight risk. The Probation Office determined that Mr. Andrade  
4 was not a flight risk and recommended that he be allowed to self-surrender (which of  
5 course would occur after both his conviction and sentencing). *See* ECF 706 at 45. Mr.  
6 Andrade was indicted in June 2020 and has appeared at all judicial proceedings  
7 requiring his appearance since that date and still continues actively working on his  
8 case on a day to day basis.

9  
10 11. Mr. Andrade even had communications with the probation department in trying to  
11 plan his self-surrender—further exhibiting self-initiative and compliance with the  
12 Court’s orders. Mr. Andrade always has fully complied with the terms of his pretrial  
13 and post-sentencing release and when in doubt about anything, he seeks written  
14 guidance from attorneys and if still not sure, he seeks permission from the Court. For  
15 example, he asked the 9<sup>th</sup> circuit for permission to sell stock while requesting to place  
16 monies with the Court pending his appeal. A person whose is a flight risk or danger,  
17 just does not do that.

18  
19 12. Andrade holds an ownership interest in his home, jointly with his wife, as well as  
20 joint-stock in biometric-based, patent-protected intellectual property he developed in  
21 2015. These assets have the potential joint value in the tens of millions, if not  
22 hundreds of millions, of dollars. Individually, these assets could be sufficient to satisfy  
23 the full amount of the forfeiture judgment.

24  
25 13. If Mr. Andrade were to flee — which he will not — he would risk losing his interest in  
26

1 all of his assets, including those jointly held with his wife and children. Such an action  
2 would have devastating consequences for his family. Not only financially, but his two  
3 young daughters, ages 6 and 10, would endure significant emotional strain and would  
4 be further traumatized by either his incarceration or flight. Mr. Andrade is deeply  
5 committed to his family and would never take any action that would endanger their  
6 mental state or their well-being.  
7

8 14. Given his irreplaceable role as a father, the significant financial stake he would forfeit  
9 if he fled, his non-dangerous status, and his continued active engagement in his  
10 defense, the Court should recognize that these factors—among many others—strongly  
11 support Mr. Andrade will not flee and isn't a threat to society.  
12

13 15. Andrade continues to meet all supervision and reporting obligations. Mr. Andrade also  
14 consents to reasonable temporary conditions of release during the extension period,  
15 including GPS or home-detention monitoring if the Court or Probation deems it  
16 necessary.  
17

18 I declare under penalty of perjury under the laws of the United States that the foregoing is  
19 true and correct. Executed on December 16, 2025.  
20

21 

22 /s/ John M. Pearce  
23  
24  
25  
26